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4. That your Petitioner is advised, and so avers, that the proceeds of sale in the hands of the Assignee are ample to pay the first mortgage claim and the costs of these proceedings, also the second mortgage claim owned by Roger W. Luckett, Esq., and will leave a balance in the hands of the said Assignee, which, according to the provisions of Article 66, Section 12, of the Annotated Code of the Public General Laws of Maryland, it is respectfully submitted, should be applied to the payment of the third lien claim of your Petitioner as far as the balance of said surplus will permit.

WHEREFORE, your Petitioner prays that your Honorable Court will pass an order authorizing and directing the Court Auditor to distribute the surplus of the proceeds of sale herein remaining after the payment of all prior claims and expenses in part payment of its third lien claim.

And as in duty bound, etc.

FEDERAL DEPOSIT INSURANCE CORPORATION

By Petitioner Buildat

STATE OF MARYLAND, FREDERICK COUNTY, TO-WIT:

I hereby certify that on this day of May, 1940, before me, the subscriber, a Notary Public of the State of Maryland, in and for Frederick County, personally appeared William J. Kelley, Liquidator for the Federal Deposit Insurance Corporation, the said affiant being personally known by me to be the said William J. Kelley, and Liquidator for the said Federal Deposit Insurance Corporation, and made oath in due form of law that the matters and facts set forth in the aforegoing petition are true as therein stated to the best of his knowledge, information and belief; and the said